

MACP No.826/19
Mohd. Gulam Sarver Vs. Vivek Ahuja & Anr.

29.01.2021

Present : Ms. Rukhsar, Ld. Counsel for petitioner.
Ld. proxy Counsel for R-1.
Mohd. Rafi, Ld. Counsel for R-2 / insurer.

After last date, certified copies of criminal case record filed. On going through the same, it becomes clear that one **Raju Yadav** was chargesheeted in this case. Accordingly, **he become the necessary party and stands impleaded as respondent No. 3.** Notice be issued to him on filing of PF / RC, within 7 days. Amended memo of parties be also filed on the next date.

Further, an application under Order 1 Rule 10 CPC moved on behalf of the respondent No. 2 / insurer for impleading the driver and owner of the second vehicle i.e. tempo bearing registration No. UP-14GT-2375 in which the deceased was traveling. Since the law is well settled that petitioner has discretion to pursue the case against any of the vehicles involved in case of composite negligence, therefore, the application is kept pending and would be dealt with at the appropriate stage, if required.

To come up for further proceedings on **22.04.2021**.

(Vivek Kumar Gulia)
PO MACT (East)/KKD
Delhi/29.01.2021